

CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE BY

COUNCILMEMBER HOWARD SHOOK

04-0-0251

AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO PROVIDE THAT A CERTAIN SUBDIVISION APPLICANT DEPOSIT A DOLLAR AMOUNT EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 7; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the application for the subdivision of land submitted by several developers, in compliance with the provisions of Section 15-09.003 to provide sidewalks on both sides of existing as well as proposed streets; and

WHEREAS, the construction of sidewalks along the frontage of this subdivision would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks on the streets that contain the proposed subdivided lots to which the sidewalks could connect; and

WHEREAS, the City and area residents would be better served by the construction of sidewalks and pedestrian improvements in the area of said subdivision within District 7.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that applications for subdivision of land provide sidewalks are hereby waived for subdivision SD-03-35.

SECTION 2: That the waiver of said requirements for the aforementioned application are conditioned upon the agreement of the applicants to pay the City of Atlanta a dollar amount equal to the value of construction of said sidewalks as required by Section 15-09.003 and as determined by the Commissioner of Department of Public Works.

SECTION 3: That before the Director of Bureau of Building issues any building permit for construction within the subdivisions sited above, said funds shall be deposited in Trust Fund Account 3P02 424102 Y63T19029999, to be used for pedestrian improvements and sidewalk construction only in Council District 7.

SECTION 4: That all other requirements of the Code of Ordinance for the subdivisions sited above shall remain in full force and effect.

SECTION 5: That the Chief Financial Officer or his designee is authorized to create the appropriate Fund, Account and Center Numbers to deposit and expend these funds.

SECTION 6: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.

A true copy,

Rhonda Daughkin Johnson

ADOPTED by the Council
APPROVED by the Mayor

FEB 16, 2004
FEB 24, 2004

RCS# 5426
2/16/04
2:58 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PGS 1-12, EXCEPT:04-R-0242
AND 04-R-0130
ADOPT

| | |
|--------------|----|
| YEAS: | 13 |
| NAYS: | 0 |
| ABSTENTIONS: | 0 |
| NOT VOTING: | 2 |
| EXCUSED: | 0 |
| ABSENT | 1 |

| | | | | | | | |
|---|---------|----|-----------|---|---------|----|----------|
| B | Smith | Y | Archibong | Y | Moore | Y | Mitchell |
| Y | Starnes | NV | Fauver | Y | Martin | Y | Norwood |
| Y | Young | Y | Shook | Y | Maddox | Y | Willis |
| Y | Winslow | Y | Muller | Y | Boazman | NV | Woolard |

CONSENT I

RCS# 5425
2/16/04
2:56 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PGS 1-12, EXCEPT:04-R-0242

RECONSIDER

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

| | | | |
|-----------|-------------|-----------|------------|
| B Smith | Y Archibong | Y Moore | Y Mitchell |
| Y Starnes | NV Fauver | Y Martin | Y Norwood |
| NV Young | Y Shook | Y Maddox | Y Willis |
| Y Winslow | Y Muller | Y Boazman | NV Woolard |

CONSENT I

RCS# 5424
2/16/04
2:55 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-12, EXCEPT:04-R-0242

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

*Reconsidered
see
RCS# 5425*

| | | | |
|-----------|-------------|-----------|-------------|
| B Smith | Y Archibong | Y Moore | NV Mitchell |
| Y Starnes | NV Fauver | Y Martin | Y Norwood |
| A Young | Y Shook | Y Maddox | Y Willis |
| Y Winslow | Y Muller | Y Boazman | NV Woolard |

CONSENT I

| 2-16-04 Council Meeting | |
|---|--|
| ITEMS ADOPTED ON CONSENT | ITEMS ADOPTED ON CONSENT |
| 1. 04-O-0049 2. 04-O-0125 3. 04-O-0126 4. 04-O-0143 5. 04-O-0144 6. 04-O-0035 7. 04-O-0067 8. 04-O-0233 9. 04-O-0235 10. 04-O-0251 11. 04-O-0231 12. 04-R-0188 13. 04-R-0190 14. 04-R-0228 15. 04-R-0229 16. 04-R-0222 17. 04-R-0227 18. 04-R-0128 19. 04-R-0129 20. 04-R-0130 21. 04-R-0131 22. 04-R-0189 23. 04-R-0273 24. 04-R-0218 25. 04-R-0219 26. 04-R-0220 27. 04-R-0245 28. 04-R-0246 29. 04-R-0249 30. 04-R-0250 31. 04-R-0274 32. 04-R-0226 | 33. 04-R-0207 34. 04-R-0208 35. 04-R-0209 36. 04-R-0210 37. 04-R-0211 38. 04-R-0212 39. 04-R-0213 40. 04-R-0214 41. 04-R-0215 42. 04-R-0223 43. 04-R-0224 ITEMS ADVERSE ON CONSENT 44. 04-R-0191 45. 04-R-0192 46. 04-R-0193 47. 04-R-0194 48. 04-R-0195 49. 04-R-0196 50. 04-R-0197 51. 04-R-0198 52. 04-R-0199 53. 04-R-0200 54. 04-R-0201 55. 04-R-0202 56. 04-R-0203 57. 04-R-0204 58. 04-R-0205 59. 04-R-0206 60. 04-R-0225 |

#23

04-0-0251

(Do Not Write Above This Line)

AN ORDINANCE BY
Howard Shook
COUNCILMEMBER HOWARD SHOOK

AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO PROVIDE THAT A CERTAIN SUBDIVISION APPLICANT DEPOSIT A DOLLAR AMOUNT EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 7; AND FOR OTHER PURPOSES

ADOPTED BY

FEB 1 6 2004

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred *2/2/04*

Referred To: *City Utilities*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

City Utilities
Date *Feb 2 2004*
Chair *Howard Shook*

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members

David Miller
Howard Shook
Howard Shook

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

- FINAL COUNCIL ACTION
- ☒ 2nd
 - ☐ 1st & 2nd
 - ☐ 3rd
 - ☒ Consent
 - ☐ V Vote
 - ☒ RC Vote

CERTIFIED

FEB 1 6 2004

CERTIFIED

FEB 1 6 2004

Rickie Douglas
MUNICIPAL CLERK

MAYOR'S ACTION

FEB 2 4 2004

MAYOR